

David Dubberly Discusses New Overtime Rule That Kicks In on Jan. 1

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Practices

Employment & Labor Law

Media Mention

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David Dubberly, chair of the firm's Employment & Labor group, was recently featured in the *S.C. Lawyers Weekly* article, "New rule on overtime pay kicks in Jan. 1."

The article details the upcoming U.S. Department of Labor (DOL) rule change that is expected to make an estimated 1.3 million workers eligible for overtime pay beginning in 2020.

Article Excerpt:

In 2016, President Barack Obama attempted to change the rule, but the U.S. District Court for the Eastern District of Texas granted an injunction, which the DOL appealed but agreed to delay while it reconsidered the rule. Under the 2016 rule, employees who earn less than \$47,476 a year, or \$913 per week, would have qualified for overtime pay, making about 4.2 million workers eligible.

Because the district court judge struck down the salary amount weeks before it was to take effect in 2016, [many] employers already had made the necessary changes, said David Dubberly, an employment lawyer with Nexsen Pruet in Columbia.

"By the time the judge had done that, most employers that we work with had already taken steps to deal with the new rule," he said.

Continued:

Dubberly said he's now being contacted by a few companies that didn't address the issues in 2016 and need advice to implement the changes.

"In 2019, most employees who meet the duties of an exempt employee are getting paid \$35,000 or more, so that is not that big of a deal this time

around," Dubberly said.

Read the full article here.

Nexsen Pruet's Employment & Labor group has written about the overtime rule since it was proposed by the DOL in March 2019. Read more here:

- [DOL Proposes New Rule Raising the Salary Threshold for White-Collar Overtime Exemptions](#)
 - [Overtime: It Just Keeps Changing Over Time](#)
 - [Important News for Employers: Salary Increase for Overtime Exemption](#)
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David Dubberly chairs Nexsen Pruet's Employment and Labor Law Group and co-chairs the firm's International Law Team. He is a frequent speaker, author and contributor to media inquiries on various topics pertaining to the DOL, FMLA, OSHA, EEOC and other employer and workplace related news. Follow David on Twitter.

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